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Programme budget for the biennium 2010-2011

Revised estimates under section 23, Human rights, of the programme budget for the biennium 2010-2011, resulting from the increase in the membership of the Committee on the Rights of Persons with Disabilities

Report of the Secretary-General

Summary

The present report details additional budgetary requirements resulting from the increase in the membership, by six members, of the Committee on the Rights of Persons with Disabilities. As stated in paragraph 23.36 of the proposed programme budget for the biennium 2010-2011 (A/64/6 (Sect. 23)), in accordance with paragraph 2 of article 34 of the Convention on the Rights of Persons with Disabilities, the Committee's membership will increase by six members after the Convention has been ratified or acceded to by 80 States parties. As at 29 September 2010, there are 94 States parties to the Convention, with Armenia ratifying the Convention on 22 September 2010.

The Secretariat currently estimates that the additional requirements relating to the increase in the membership of the Committee on the Rights of Persons with Disabilities from 12 to 18 experts, are as follows: (a) an amount of $321,500 for 2011; and (b) an amount of $946,600 for the biennium 2012-2013. With regard to the estimated requirements of $321,500 for 2011, it is proposed that the estimated amount of $12,400 be met from within the approved appropriations under section 23, Human rights, for the biennium 2010-2011, and the remainder of $309,100 from the provisions of the contingency fund for the biennium 2010-2011. The amount of $946,600 envisaged for the biennium 2012-2013 will be considered in the context of the proposed programme budget for the biennium 2012-2013.

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I. Introduction

1. The Convention on the Rights of Persons with Disabilities, adopted by the General Assembly in its resolution 61/106, entered into force on 3 May 2008. The Committee, established in accordance with article 34 of the Convention, and currently composed of 12 experts, acting in their personal capacity, are nominated and elected by the States parties to the Convention for a term of four years.

2. As stated in paragraph 23.36 of the proposed programme budget for the biennium 2010-2011 (A/64/6 (Sect. 23)), in accordance with article 34, paragraph 2, of the Convention on the Rights of Persons with Disabilities, the Committee's membership will increase by six members after the Convention has been ratified or acceded to by 80 States parties. As at 29 September 2010, there are 94 States parties to the Convention, with Armenia ratifying the Convention on 22 September 2010.

3. The third session of the Conference of States Parties to the Convention, held in New York from 1 to 3 September 2010, elected six new members as a result of the additional accessions to the Convention. Accordingly, under the terms of the Convention, the maximum number of 18 members of the Committee has been reached. The expanded Committee of 18 experts will hold its first meeting from 26 to 30 April 2011.

4. As the Secretary-General of the United Nations is responsible for providing the necessary staff and facilities for the effective performance of the functions of the Committee, under article 34, paragraph 11, of the Convention, the financial implications of the increase in the membership of the Committee would be met from the programme budget and are set out in the present report.

II. Activities required under the Convention

5. The various activities, under the terms of the Convention are described below.

A. Conference of States Parties to the Convention

6. The first session of the Conference of States Parties was held on 3 November 2008. In accordance with article 40 of the Convention, the subsequent meetings of the Conference of States Parties would be convened by the Secretary-General biennially or upon the decision of the Conference. The second session of the Conference of States Parties was held in New York in 2009. At the third session of the Conference of States Parties, held in New York from 1 to 3 September 2010, a decision was taken to hold its fourth session from 7 to 9 September 2011.

B. Sessions of the Committee

7. Rule 2 of the rules of procedure established by the Committee stipulates that it will hold at least two regular sessions annually. In accordance with rule 3, the sessions of the Committee shall normally be held at the United Nations Office at Geneva, and another place for a session as may be designated by the Committee in consultation with the Secretary-General, taking into account the relevant rules of the United Nations on the subject.

8. At present, the Committee meets for two sessions per year of one week's duration each. It is initially estimated that the Committee would review approximately one report submitted by a State party during its one-week session.

9. As there is no satisfactory in-house capacity for Braille printing, this service is currently being procured externally.

10. As there is currently no in-house capacity for sign language and real-time captioning requirements, these are being met by the recruitment of freelance sign-language interpreters and rental of appropriate equipment.

C. Processing of the reports submitted by States parties to the Convention

11. Under article 35 of the Convention, States parties are obliged to submit to the Committee, through the Secretary-General, reports on measures taken to give effect to its obligations under the Convention and on the progress made in this regard, within two years after the entry into force of the Convention for the State party concerned. Thereafter, States parties would submit subsequent reports at least every four years and further, whenever the Committee so requested. Under article 39, the Committee would report every two years to the General Assembly and to the Economic and Social Council on its activities and might make suggestions and general recommendations based on the examination of reports and information received from the States parties. Under article 1 of the Optional Protocol to the Convention, the Committee can receive and consider individual communications and conduct inquiries into reliable information received indicating grave or systematic violation of the Convention by a State party (art. 6).

12. By the end of 2008, there were 46 States parties to the Convention and at the end of 2009, there were 76 State parties. Consequently, it is expected that by end 2010, 46 reports will be submitted by State parties and that, by the end of 2011, 30 more reports will be submitted. Given that State parties are expected to submit a report within two years after the entry into force of the Convention for the State party concerned, it is envisaged that 14 State parties will submit a report towards the end of 2012. The Committee will therefore be placed in a position of commencing its work with an overwhelming workload. It can be anticipated, therefore, that additional meeting time for the Committee might be required in the near future.

D. Consideration by the Committee of violations by States parties

13. Under article 6 of the Optional Protocol, if the Committee received reliable information indicating grave or systematic violations by a State party of rights set forth in the Convention, the Committee would invite that State party to cooperate in the examination of the information. The Committee might also designate one or more of its members to conduct an inquiry and to report urgently to the Committee and, where warranted and with the consent of the State party, the inquiry might include a visit to the State party's territory.

E. Accessibility of facilities and services consistent with the Convention

14. In paragraph 36 of the report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twelfth, thirteenth and fourteenth sessions (A/65/333), it is recalled that, in paragraph 14 of the report of the Secretary-General on the revised estimates resulting from the entry into force of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (A/63/583), the view was expressed that comprehensive arrangements in accordance with article 9 of the Convention on the Rights of Persons with Disabilities, including standards and guidelines for the accessibility of facilities and services by the United Nations system would be progressively developed. The Secretary-General had informed the Human Rights Council, at the time of adoption of its resolution 13/11, in which it requested him to, inter alia, continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, that, as yet, no standards had been established. Measures for the implementation of standards and guidelines for accessibility were only ad hoc in nature and scope. The Secretary-General therefore reiterates in the present report that it is hoped that this issue of establishment of standards and guidelines for accessibility will be taken up by the General Assembly as a matter of priority.

III. Resources available within the programme budget for the biennium 2010-2011

(a) Section 2, General Assembly and Economic and Social Council affairs and conference management

15. With respect to the sessions of the Conference of State Parties and the Committee on the Rights of Persons with Disabilities, provisions for conference-servicing requirements have been made under section 2, General Assembly and Economic and Social Council affairs and conference management of the programme budget for the biennium 2010-2011, to service the sessions.

16. It is recalled that, in his report (A/63/583), the Secretary-General detailed budgetary requirements resulting from the entry into force, on 3 May 2008, of the Convention, including $12,309,000 required under section 2, General Assembly and Economic and Social Council affairs and conference management for the biennium 2010-2011.

17. As indicated in document A/64/6 (Sect. 2), the requirements had been considered within the context of the proposed programme budget for the biennium 2010-2011. The requirements for conference services of the sessions of the Committee on the Rights of Persons with Disabilities therefore form part of the increase of $13,134,400, approved under Conference management, Geneva, to meet the expanding demands from the Human Rights Council and its machinery, including the Convention on the Rights of Persons with Disabilities.

18. The experience in providing conference servicing to the Committee reveals that the forecasted conference-servicing requirements for the biennium 2010-2011 would be within the range of estimates approved for the programme budget for the

biennium 2010-2011, that is, translation services for 700 pages of pre-session documentation, 50 pages of in-session documentation and 750 pages of post-session documentation in six languages and summary records for each session, and interpretation services in all six official languages, including sign-language interpretation in all six languages, the latter to be provided by internationally recruited sign-language interpreters. It is estimated that the level of conference services required by the expanded membership of the Committee would be within the range as budgeted in the programme budget for the biennium 2010-2011. Therefore, no additional resources are required, at this time under section 2, General Assembly and Economic and Social Council affairs and conference management.

(b) Section 9, Economic and social affairs

19. The programme of work for the biennium 2010-2011 related to disability in subprogramme 3, Social policy and development, of section 9, Economic and social affairs, aims to strengthen international cooperation, raise awareness about the importance of social development and enhance national capacity with particular attention, inter alia, to persons with disabilities.

20. Under section 9, Economic and social affairs, of the programme budget for the biennium 2010-2011, resources for such activities as: (a) servicing meetings of the General Assembly, the Commission for Social Development; the Conference of States Parties to the Convention on the Rights of Persons with Disabilities; the United Nations Development Group meetings on indigenous issues and disability issues; and the Inter-Agency Support Group for the Convention on the Rights of Persons with Disabilities; (b) reports: on the implementation of the World Programme of Action concerning Disabled Persons; the status of the Convention and the Optional Protocol thereto; of the Special Rapporteur on Disability of the Commission for Social Development; of the Conference of States Parties and its working groups to the Convention on the Rights of Persons with Disabilities; (c) ad hoc expert group meetings; (d) management of the United Nations Voluntary Fund on Disability; (e) supporting the implementation of the Convention; (f) communications and cooperation; (g) supporting the work of the Special Rapporteur on disability of the Commission for Social Development; (h) providing guidance on accessibility for the United Nations Secretariat; (i) production of Braille materials; (j) co-chairing the United Nations Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities; and (k) leading the Inter-Agency Support Group/United Nations Development Group Task Team on the preparation of the United Nations Development Group guidance note on disability, have been provided as follows: (i) staff resources of eight posts (1 P-5, 2 P-4, 2 P-3, 1 P-2/1 and 2 General Service (Other level)); and (ii) non-post resources totalling $61,100 for: (aa) consultants and experts to assist in various studies ($56,100); and (bb) travel of staff to participate in meetings of the Committee of Experts of the Convention on the Rights of Persons with Disabilities ($5,000).

21. It is expected that the existing staff complement under section 9 would continue to deal with activities under the Convention by, inter alia, providing substantive and technical services to the Conference of the States Parties in cooperation with the New York Office of the United Nations High Commissioner for Human Rights; preparing publications; and organizing capacity-building activities in support of the ratification and implementation of the Convention. No additional resources are required under section 9, Economic and social affairs at this time.

(c) Section 23, Human rights

22. Under section 23, Human rights, of the programme budget for the biennium 2010-2011, provision has been made for such activities as: (a) preparation of reports to the General Assembly of the Committee on the Rights of the Persons with Disabilities; (b) servicing of the meetings of the Committee and its reports; and (c) other substantive activities, including information materials concerning the activities of the Committee and briefings of new members of the Committee; and (d) seminars on human rights and persons with disabilities.

23. The provision relates to: (a) $938,000 for travel and per diem costs of the 12 members of the Committee on the Rights of Persons with Disabilities ($835,900) and 12 assistants ($102,100) to attend two regular sessions each year in Geneva of five working days each; and (b) $927,700 under the Human Rights Treaties Branch for three posts (1 P-4, Secretary of the Committee, 1 P-3 Secretary of the Committee and 1 General Service (Other level) who provides clerical and administrative support to the Committee). The increased requirements arising in relation to the addition of six new members are discussed below in section IV of the present report.

(d) Sections 28D, Office of Central Support Services and 28E, Administration, Geneva

24. The central support services requirements in connection with conference servicing, provide for sound technicians and clerical support, for each meeting of the Conference of the States Parties and the Committee under sections 28D, Office of Central Support Services and 28E, Administration, Geneva, of the programme budget for the biennium 2010-2011. Additional requirements are therefore not foreseen for the biennium 2010-2011 under section 28D, Office of Central Support Services, and section 28E, Administration, Geneva.

25. Arrangements to ensure accessibility of facilities and services with regard to the meetings of the Committee and of the Conference of the States Parties, as indicated in paragraph 14 above, would be met, to the extent possible, within existing resources and through ad hoc arrangements.

IV. Additional requirements under the programme budget for the biennium 2010-2011 and estimated requirements for the proposed programme budget for the biennium 2012-2013 relating to the increase in membership of the Committee

Section 23, Human rights

26. Increase in travel costs: the total travel cost, estimated at $230,600 under the programme budget for the biennium 2010-2011 and $436,400 for the biennium 2012-2013, would be as follows:

(a) Given the requirement that the Committee members reflect a balance of experts with disabilities, it is envisaged that some or all of the experts would need to be accompanied by assistants. Consequently, the related travel and per diem costs for the six new members and six new assistants would amount to $109,100 per session, or $218,200 for the biennium 2010-2011. For the biennium 2012-2013, the related full costs are estimated at $436,400.

(b) The six new members will also be required to attend a one-day induction course in Geneva prior to their first session. The cost of the induction course is limited to daily subsistence allowance for the experts and their assistants, as well as the Chairperson and his or her assistant, totalling $12,400 in 2011. The requirements for the one-day induction will be accommodated from within available resources under section 23, Human rights, for the biennium 2010-2011.

27. Additional secretariat support: in addition to the three posts (1 P-4, 1 P-3 and 1 General Service (Other level)) approved to service the Committee and in order to provide the minimal substantive and technical secretariat services to the Committee on the Rights of Persons with Disabilities and the States parties, the following is proposed:

> Establishment of one new P-3 post to assist the Committee with the examination of State party reports presented under article 35 of the Convention. Based on the experience of other treaty bodies, it is estimated that secretariat preparation for the examination of a State party report will require an average of 18 working days per report. It is estimated that two staff members at the P-3 level at one work-year each will be required to process a conservative estimate of 25 reports that are likely to be received during 2010. It is proposed that the anticipated workload be dealt with initially by the existing P-3 staff member and that one new P-3 post be established effective 1 January 2011. The estimated cost of this new P-3 post amounts to $90,900, under the programme budget for the biennium 2010-2011.

28. A second new P-3 post, the establishment of which is proposed for 1 January 2012, will be needed to support the complaints and inquiry procedures of the Committee, under which the number of individual complaints received to date matches the level of complaints received under the complaints and inquiry procedure of the Convention on the Elimination of All Forms of Discrimination against Women. The estimated cost of the second P-3 post proposed for consideration in the context of the proposed programme budget for the biennium 2012-2013 would amount to $181,800.

29. It should be noted that it is estimated that the delayed impact of the one new P-3 post proposed for establishment in 2011 amounts to $328,400. It is further proposed that the staffing requirements of the Committee in the course of the biennium 2012-2013 be revisited.

30. It is also anticipated that dissemination of information on the Convention and the Optional Protocol will continue to be implemented by the Office of the United Nations High Commissioner for Human Rights and the Department of Public Information within their existing capacities.

Section 35, Staff assessment

Income section 1, Income from staff assessment

31. The proposal for the creation of one new P-3 post, effective 1 January 2011, under section 23, Human rights, for the biennium 2010-2011, gives rise to additional requirements of $10,600 under section 35, Staff assessment. This provision will be

offset by a corresponding amount under income section 1, Income from staff assessment.

32. For the biennium 2012-2013, requirements for staff assessment under section 35, Staff assessment, in the total amount of $59,600, which will be offset by a corresponding amount under income section 1, Income from staff assessment, will be dealt with in the context of the proposed programme budget for the biennium 2012-2013.

V. Summary of net additional requirements

33. The table below summarizes the estimated additional requirements resulting from the increase by six members, of the Committee on the Rights of Persons with Disabilities, and the estimated costs for 2011 and for the biennium 2012-2013. The estimated net additional requirements for the programme budget for the biennium 2010-2011 amounts to $309,100, under section 23, Human rights, and $10,600 for staff assessment under section 35, Staff assessment, offset by an equivalent amount under income section 1, Income from staff assessment.

34. For the biennium 2012-2013, the estimated requirements of $946,600 will be considered within the context of the proposed programme budget for the biennium 2012-2013.

Revised estimates under section 23, Human rights

(United States dollars)

Committee on the Rights of Persons with Disabilities	*2011*	*2012-2013*
Section 23, Human rights		
Travel requirements for members of the Committee	127 300	254 600
Travel requirements for assistants of members	90 900	181 800
Staff costs (1 P-3)	90 900[a]	510 200[b]
Section 35, Staff assessment	10 600	59 600
Income section 1, Income from staff assessment	(10 600)	(59 600)
Grand total	**309 100**	**946 600**

[a] 1 P-3, proposed effective 2011.

[b] 1 P-3, proposed effective 2012 plus the delayed impact of the proposed P-3 effective 2011.

VI. Conclusions and action required of the General Assembly

35. **The additional requirements for the programme budget for the biennium 2010-2011 are estimated at: (a) $321,500, of which it is proposed that $12,400 be met from within the approved appropriations under section 23, Human rights; and (b) at $10,600, for staff assessment under section 35, Staff assessment, to be offset by an equivalent amount under income section 1, Income from staff assessment.**

36. **It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established**

for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures were proposed that exceeded the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

37. The Secretariat has sought to identify areas from which resources can be redeployed to meet the net additional requirements. While every effort has been made to accommodate those requirements from within the existing resources under section 23, Human rights ($309,100) and section 35, Staff assessment ($10,600) offset by an equivalent amount under income section 1, Income from staff assessment, the extent of that accommodation could be determined only in the light of the consolidated statement on the contingency fund, reflecting the demand for the additional services, stemming from all statements of programme budget implications and revised estimates for the biennium 2010-2011. A consolidated statement of all statements of programme budget implications and revised estimates for the biennium 2010-2011 for which additional appropriations are sought under the terms of the contingency fund will be submitted by the Secretary-General to the General Assembly towards the end of the main part of its sixty-fifth session, together with his proposals on the extent of utilization of the contingency fund for these additional requirements.

38. For the biennium 2012-2013, the requirements under section 23, Human rights, amounting to $946,600; and section 35, Staff assessment, of $59,600, to be offset by an equivalent amount under income section 1, Income from staff assessment, would be considered within the context of the proposed programme budget for the biennium 2012-2013.

39. The General Assembly is requested to:

(a) Approve the proposals of the Secretary-General for net additional requirements of: $309,100 under section 23, Human rights, and $10,600 under section 35, Staff assessment, offset by an equivalent amount under income section 1, Income from staff assessment. This would represent a charge against the contingency fund for the biennium 2010-2011.